

**YOUNG
CONAWAY**

WILMINGTON
RODNEY SQUARE

NEW YORK
ROCKEFELLER CENTER

Pilar G. Kraman
P 302.576.3586
pkraman@ycst.com

December 18, 2020

VIA CM/ECF and HAND DELIVERY

The Honorable Colm F. Connolly
United States District Court
for the District of Delaware
844 North King Street
Wilmington, DE 19801

Re: *FinancialApps, LLC v. Yodlee, Inc., et al.*, No. 19-1337-CFC-CJB

Dear Judge Connolly:

Plaintiff FinancialApps LLC. (“FinApps”) respectfully submits this request for oral argument on its Emergency Motion to Amend the Scheduling Order (D.I. 216) and Defendants’ Motion for Trial Phasing and Other Relief (D.I. 223). FinApps believes oral argument is particularly appropriate on Defendants’ Motion for Trial Phasing and Other Relief in light of the reply brief filed December 17, 2020, in which Defendants “propose [an] adjustment” to their phasing schedule “[i]n response to FA’s objections related to re-trying actual misappropriation” among other things (D.I. 234 at 4 n.1).

Defendants’ decision to propose a revised phasing schedule for the first time in their reply brief has deprived FinApps of an opportunity to demonstrate to the Court how their adjusted schedule remains problematic, and how their motion still fails to show that bifurcation is warranted here. Accordingly, FinApps respectfully submits that oral argument will provide FinApps with an opportunity to explain to the Court why Defendants’ motion should be denied in its entirety, even taking into consideration their revised phasing schedule.

Additionally, if the Court would find it helpful for FinApps to submit supplemental briefing in the form of a sur-reply, FinApps would be happy to provide the Court with such briefing.

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "P. Kraman", with a stylized initial "P" and a trailing flourish.

Pilar G. Kraman (No. 5199)

cc: All counsel of record (by CM/ECF)
Clerk of the Court (by Hand)